

Crt.

UNITED STATES DISTRICT COURT FOR THE DISTRICT  
OF MASSACHUSETTS

-1-

SUFFOLK, ss.

COMMONWEALTH OF MASSACHUSETTS

U.S. District

##### COURT DEPARTMENT  
FOR THE DISTRICT COURT  
CIVIL ACTION

Theodus Jordan

PLAINTIFF(s)

1) Boston Public Schools vs.  
2) Massachusetts Commission Against Discrimination

DEFENDANT(s)

WRONGFUL TERMINATION

COMPLAINT

Plaintiff request indigency status and preys for qualified legal Representa

Df.1) Here comes the aggrieved and injured plaintiff in the matter above to ask this MOST HIGH COURT, U.S. DISTRICT FEDERAL COURT, for relief, restitution, restoral, backpay, tenure, reputation, job(employment) promotion, automobile, home, reinstatement, credit repair, compensation, punitive damages, losses directly caused by these defendants egregious and wanton racism and discrimination based on my race, color, gender, age and disability, and retaliation for seeking justice to resolve this matter in a judicious manner; and conspiring with others within the School system and/or other Agencies to accomplish this task by "black-listing" my name and reputation so as to deny me jobs or other opportunities for jobs in any other place throughout this State and other States.

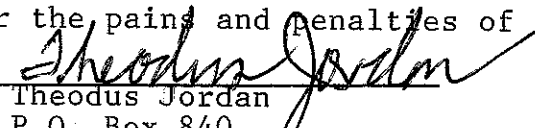
Df.2) Plaintiff further claim and state unequivocally, that the Massachusetts Commission Against Discrimination further discriminated against this plaintiff by negligence and delaying pursuit of this claim and "dragging its feet" in the processing of this charge and negligence in its investigation; trifling in its handling of the Original complaint; such delayed caused further hardship, indigency, and destitution for this plaintiff in the loss of his home, car, ability to support himself and family;..further causing the break-up of my home for lack of income and the inability to find new employment because of the ruiness nature and negligence of this agency to act. Even the investigator (Jeannine Rice) was racist and showed extreme hostility during the interview and evaluation process. She was intimidating, derisive, hostile, arrogant, racist acting, belligerent, belittling to me and refused to record the session. A year passed before I heard from the case, and only after I called them. Then another six months. MCAD was truly negligent and hostile toward this complainant and failed to pursue this matter according to statutes of pursuance, causing further injustice to plaintiff.

Plaintiff can prove all charges leveled against both these defendants if given his day-in-Court and qualified representation.

Wherefore, plaintiff plead with your MOST HIGH FEDERAL U.S. DISTRICT COURT, for relief, restitution and purging as well a restoral of all losses, damages, tenues, and possessions, compensations, backpay, reputation, credit repair, \$800,000, in losses, \$500,000, in damages, automobile, and legal fees and attorney fees, and all other damages deemed proper by this Court.

nx.pg. >>>>>>

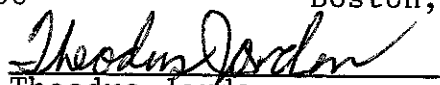
Signed under the pains and penalties of perjury this day, 3/28/04, by  
plaintiff,

  
Theodus Jordan  
P.O. Box 840  
Jamaica Plain, MA 02130-7000  
Ph. 508-588-6443

CERTIFICATE OF SERVICE

A true copy of this complaint and certificate was duly mailed to  
each of these defendants by pre-paid mail and/or their Attys. to:  
Defendant #1. BOSTON PUBLIC SCHOOLS & MCAD(Massachusetts Comm. Agst. I  
General Counsel , 5th. Floor Commonwealth of Massachusetts  
26 Court Street One Ashburton Place  
Boston, MA 02108 Boston, MA 02108-1518

on 3/28/ 04, by plaintiff,

  
Theodus Jordan  
P.O. Box 840  
Jamaica Plain, MA 02130  
Ph. 508-588-6443

EEOC Form 161 (3/98)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Theodus Jordan  
P.O. Box 840  
Jamaica Plain, MA 02130

From: Boston Area Office  
John F. Kennedy Fed Bldg  
Government Ctr, Room 475  
Boston, MA 02203

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR § 1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

16C-2002-00304

Anne R. Giantonio,  
Intake Supervisor

(617) 565-3189

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans with Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.

☐

Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.

☐

While reasonable efforts were made to locate you, we were not able to do so.

☐

You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this Notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



MAR 23 2002

Enclosure(s)

Robert L. Sanders,  
Director

(Date Mailed)

cc: BOSTON PUBLIC SCHOOL  
26 Court Street  
Boston, MA 02108

Enclosure with EEOC  
Form 161 (3/98)

## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

### PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.


### PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/00 to 12/1/00, you should file suit **before 7/1/02** -- not 12/1/02 -- in order to recover unpaid wages due for July 2000. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA back pay recovery period.

### ATTORNEY REPRESENTATION -- Title VII and the ADA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do **not** relieve you of the requirement to bring suit within 90 days.

### ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

 You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

**IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.**

## **FACTS ABOUT FILING AN EMPLOYMENT DISCRIMINATION SUIT IN FEDERAL COURT IN STATE OF MASSACHUSETTS**

You have received a document which is the final determination or other final action of the Commission. This ends our handling of your charge. The Commission's action is effective upon receipt. Now, you must decide whether you want to file a private lawsuit in court. This fact sheet answers several commonly asked questions about filing a private lawsuit.

### **WHERE SHOULD I FILE MY LAWSUIT?**

Federal District Courts have strict rules concerning where you may file a suit. You may file a lawsuit against the respondent (employer, union, or employment agency) named in your charge. The appropriate court is the district court which covers either the county where the respondent is located or the county where the alleged act of discrimination occurred. A law suit can be filed at the following U.S. District Court locations in Massachusetts.

- The United States District Court for the District of Massachusetts located at The John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, MA 02210, or by contacting the Clerk of the Court Office at (617) 748-9152
- The United States District Court for the District of Massachusetts located at Donohue Federal Building & Courthouse, 595 Main Street, Room 502, Worcester, MA 01608, by contacting the Clerk of the Court Office at (508) 929-9000
- The United States District Court for the District of Massachusetts located at the Federal Building & Courthouse, 1550 Main Street, Springfield, MA 01103, or by contacting the Clerk of the Court Office at (413) 785-0214

### **WHEN MUST I FILE MY LAWSUIT?**

Your private lawsuit must be filed in U.S. District Court within 90 days of the date you receive the enclosed final action. Once this 90-day period is over, unless you have filed suit, you will have lost your right to sue.

(Over)